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PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-003

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 09/844,483 **Application Number** TRANSMITTAL Filing Date 04/27/2001 DEC 2 7 2002 **FORM First Named Inventor** Shah Technology Center 2100 (to be used for all correspondence after initial filing) Group Art Unit 2121 **Examiner Name** Not Yet Assigned Attorney Docket Number | 68110328.712 Total Number of Pages in This Submission **ENCLOSURES** (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form (for an Application) Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final **Proprietary Information** Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please **Extension of Time Request** identify below): Terminal Disclaimer **Patent References** Express Abandonment Request Request for Refund Postcard Acknowledgement Information Disclosure Statement CD, Number of CD(s) \_ Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Brian C. McCormack **BAKER & McKENZIE** Individual name milomack Signature Date 12/16/2002 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 2/16/2002 Brian C. McCormack Typed or printed name

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Date



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Shah et al.

Application No:

09/844,483

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Filing Date:

April 27, 2001

DEC 2 7 2002

Examiner:

Not Yet Assigned

Technology Center 2100

Group Art No:

2121

Attorney Docket Number:

68110328.712

For:

Non-additive Measures and Metric Calculation

Dear Commissioner:

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08A. One copy of the listed documents is submitted herewith.

X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

\_\_\_\_ (a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); **OR** 

(b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR** 

\_\_\_\_ (c) Before the mailing of a first Office action on the merits; OR

X (d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

X (2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one): (a) Is accompanied by the fee set forth in § 1.17(p); **OR** X (b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; OR (c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement. \_(3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); AND (check only one): (a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; OR (b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any

individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Please charge any necessary fee or credit any overpayment in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 68110328.712)

Respectfully submitted,

an C. Mr. Cornack

Brian C. McCormack

Reg. No. 36,601

December 16, 2002 BAKER & McKENZIE 2001 Ross Avenue, Suite 2300 Dallas, TX 75201 (214) 978-3007 (telephone) (214) 978-3099 (facsimile)

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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

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Complete if Known				
Application Number	09/844.483			
Filing Date	04/27/2001			
First Named Inventor	Shah			
Group Art Unit	2121			
Examiner Name	Not Yet Assigned			
Attorney Docket Number	68110328.712			

Γ	U.S. PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	U.S. Patent Document  Kind Code² (if known)		Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.